

Application No. 09/583,502  
Amendment Dated November 6, 2003  
Reply to Office Action dated July 31, 2003

REMARKS

Remarks are preceded by quotations of the Examiner's comments, presented in small bold-faced type.

5. Claim 24 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 12. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Clarifying amendments to overcome the Examiner's objection have been made.

7. Claims 26, 27 and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Clarifying amendments to overcome the Examiner's rejection have been made.

10. Claims 1-4, 7, 10, 12-16, 19, 22, 25-28, 31, 34 and 36 are: rejected under 35 U.S.C. 102(e) as being anticipated by Fujieda et al. (FU) (U.S. Patent 6,557,002).

13. Claims 5, 6, 17, 18, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujieda et al. (FU) (U.S. Patent 6,557,002) in view of Altidis (AL) (Solidworks 98Plus, Design News, April 1999).

Enclosed herewith is an affidavit under 37 CFR 1.131 swearing back to a date of invention at least as early as April 9, 1999. Fujieda's U.S. filing date of November 8, 1999 is later than the sworn-back date of April 9, 1999 and, consequently, Fujieda has not been shown to be prior art under 35 USC 102(e).

Because Fujieda has not been shown to be prior art under 35 USC 102(e), rejection of claims in light of Fujieda is improper. Consequently, rejection of claims under 35 USC § 102(e) in light of Fujieda, or under 35 USC § 103 in light of Fujieda in combination with other prior art references is improper. It is respectfully requested that the Examiner withdraw his rejection of claims 1-7, 10, 12-19, 22, 24-31, 34, and 36.

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**Allowable Subject Matter**

14. Claims 8, 9, 11, 20, 21, 23, 32, 33 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The undersigned thanks the Examiner for the indication of allowable subject matter.

Other Remarks

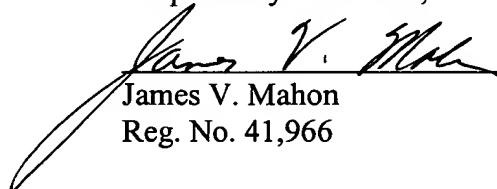
Claims 1-35 have been amended to make minor clarifying corrections.

CONCLUSIONS

Claims 1-36 are now pending and are believed to be in condition for allowance. No new matter has been added. Please apply any credits or excess charges to our deposit account number 50-0521.

Date: November 6, 2003

Respectfully submitted,

  
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